

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

COMPRESSOR ENGINEERING)	
CORPORATION, a Michigan)	
corporation, individually and as the)	
representative of a class of similarly-)	Civil Action No.: 2:16-cv-11726
situated persons,)	
)	
Plaintiff,)	
)	Hon. Nancy G. Edmunds
v.)	
)	Magistrate Judge Stephanie Dawkins
CHESTER LIMITED INC., Michigan)	Davis
corporation, and JOHN DOES 1-10,)	
)	
Defendants.)	

**STIPULATED PROTECTIVE ORDER REGARDING FORENSIC
DISCOVERY**

This matter comes before the Court for an order to address the scope of electronic discovery of Defendant Chester Limited Inc.’s (“Chester Limited” or “Defendant”) ELECTRONIC DATA, as defined herein, and the procedure to be followed with respect to such discovery.

To ensure that all computer data and potentially deleted computer data are preserved and recovered to the extent possible, and to protect Defendant’s privileged and otherwise protected documents, the following procedure shall be used by the parties for the production, inspection, and/or examination of Defendant’s ELECTRONIC DATA.

1. As used in this Order, the term ELECTRONIC DATA refers to the images and the contents of the images listed below:

- The hard drive(s) from the server running Chester Limited's Linux-based server;
- The hard drive from Chester Limited's Windows-Vista-based computer that was used as a file server; and
- The Western Digital backup drive attached to Chester Limited's Windows-Vista-based computer.

2. Chester Limited's computer forensic examiner has made a forensic copy of the ELECTRONIC DATA.

3. Chester Limited's computer forensic examiner will send hard drives containing the ELECTRONIC DATA to Robert Biggerstaff ("Biggerstaff"). Biggerstaff will review all relevant ELECTRONIC DATA to the extent practicable.

4. The purpose and scope of Biggerstaff's analysis of the ELECTRONIC DATA is to examine any ELECTRONIC DATA that exists or may have been deleted with regard to (a) telephone or facsimile numbers, identification of fax destinations, identification of names or addresses associated with fax numbers, including data, files, or documents derived therefrom, used to transmit advertising faxes from or for the benefit of the Defendant; (b) correspondence, including data, files, or documents derived therefrom, with any fax broadcaster, fax list provider, or employees of such entities, that provided any products, goods, or services to Defendant, (c) data, files, or documents referencing or identifying any fax broadcaster, fax list provider, fax software, or referencing the transmittal of facsimiles or telephone numbers to be used for transmission of advertising facsimiles for the benefit of the Defendant; (d) contents of any documents sent in all advertising fax transmissions from or for the benefit of the Defendant; (e) the subject matter identified in any discovery or responses thereto in this matter, (f)

any documents or evidence relating to the accuracy or veracity of the contents of the ELECTRONIC DATA or testimony related to advertising fax transmissions from or for the benefit of the Defendant.

5. Biggerstaff may conduct appropriate procedures at his sole discretion pursuant to the scope and purpose of his analysis of the ELECTRONIC DATA and to determine what data was deleted or altered and when and how such deletion or alteration occurred. Biggerstaff shall also examine the contents of the ELECTRONIC DATA for information related to any software or user actions designed to delete or prevent recovery of data, or that could otherwise impact forensic examinations or impact the credibility of information recovered.

6. Biggerstaff will analyze and identify contents of the ELECTRONIC DATA described above that he believes may be relevant to the subject matter specified in paragraph 4 above. Biggerstaff will prepare, to the extent practicable, a copy of the identified contents on CD, DVD, or other electronic media, for submission to counsel for Chester Limited along with an explanation of the methodology used to recover any such information.

7. Biggerstaff will provide the material specified above to counsel for Chester Limited, in a mutually agreed-to format, prior to disclosure to Plaintiff or its counsel, for the purpose of counsel for Chester Limited to review those materials for objections based on privilege or other grounds, including but not limited to the methodology used by Biggerstaff, prior to the materials being provided to Plaintiff's counsel.

8. Biggerstaff will not be permitted to disclose any information or materials that are included with or derived from the ELECTRONIC DATA without authorization from Chester Limited's counsel or a Court order.

9. Chester Limited's counsel shall authorize Biggerstaff to produce all materials and data identified by Biggerstaff to which no objection is asserted to

counsel for Plaintiff within fourteen (14) days after the materials are submitted to counsel for Chester Limited.

10. Biggerstaff shall not discuss with Plaintiff or its counsel the content of any documents or data obtained from the ELECTRONIC DATA but not produced pursuant to this Stipulated Protective Order Regarding Forensic Discovery.

11. The ELECTRONIC DATA shall be considered CONFIDENTIAL under the Parties' Stipulated Protective Order, filed in this matter on March 1, 2018.

IT IS SO STIPULATED AND AGREED.

Dated: October 19, 2018.

/s/ Ross M. Good (with permission)

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Attorneys for Defendant

APPROVED BY THE COURT:

Dated: October 24, 2018

s/ Nancy G. Edmunds

Hon. Nancy G. Edmunds

U.S. District Judge

